

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL SKIBA,)	
)	Civil Action No. 05 - 919
Plaintiff,)	
)	Judge Thomas M. Hardiman /
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
JOE SPANIK; CHARLIE CAMP; DAN)	
DONNATELLA; and WILLIAM SHOUPPE,)	
)	
Defendants.)	

ORDER

AND NOW, this 4th day of October, 2006;

Defendants filed a Motion to Dismiss (Doc. No. 18) along with a brief in support on June 12, 2006. Plaintiff has not responded. Therefore,

IT IS HEREBY ORDERED that Plaintiff shall file a response and brief in opposition to Defendant's motion to dismiss no later than **November 1, 2006**. Failure to comply with this order may result in an order to show cause why this case should not be dismissed for failure to prosecute.

IT IS FURTHER ORDERED that in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(A), and Local Rule 72.1.3, the parties are allowed ten (10) days from the date of service to file an appeal from this order to the District Court. Failure to timely file an appeal may constitute a waiver of any appellate rights.

s/Lisa Pupo Lenihan
LISA PUPO LENIHAN
U.S. Magistrate Judge

cc: MICHAEL SKIBA
SCI Albion
10745 Route 18
Albion, PA 16475

Myron R. Sainovich
Sainovich & Santicola
722 Turnpike Street
Beaver, PA 15009
Email: myron@ssslawyer.com